

**(TIMBER) COUNTY
SHERIFF'S DEPARTMENT**



**VICTIM ASSISTANCE
PROCEDURAL MANUAL
(SAMPLE)**

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Purpose for Developing the Victim Assistance Procedural Manual

The Office of the Attorney General, Department of Crime Victim Compensation (DCVC) designed the victim assistance procedural manual to assist and aid victim advocates, coordinators and directors of victim service programs with providing the best quality of services to crime victims. Due to a number of requests from advocates across the state, it became apparent advocates were seeking guidance in developing their victim assistance programs and establishing policies and procedures.

As the manual was developed, it became apparent that it could also empower victim advocates and equip them with the necessary knowledge and skills needed to ensure that direct victim services are provided in a timely manner to crime victims.

Please be mindful that this is only a sample victim assistance procedural manual and does not capture all of the necessary areas in providing direct victim services. Also, there may be areas of the manual that do not apply to your agency or organization. It is merely a guide to assist you as you develop and establish your victim assistance program. Please feel free to adopt all or portions of the manual as you deem appropriate.

If you need technical assistance and support in developing your procedural manual, please do not hesitate to contact Ethel Douglas Ford, CPM at 803.734.1704.

WHAT IS YOUR PURPOSE?

(Note): Document your purpose in developing a procedural manual. Please review annually and update as needed based upon changes within your agency and or organization.

VICTIM ASSISTANCE PROGRAM OR AGENCY MISSION STATEMENT, AND GOALS AND OBJECTIVES

(Note): Document your victim assistance program or agency's mission statement, goals and objectives.

VICTIM ADVOCATE JOB DESCRIPTION

- Serve as full time victim advocate for the (Tiny) County Sheriff's Department providing direct victim services to crime victims
- Provide crisis intervention to crime victims
- Establish an efficient and confidential system of case management
- Provide crime victims case status updates and information
- Inform crime victims of their rights
- Assist crime victims with filing crime victim compensation applications
- Assist crime victims with completing and submitting Victim Impact Statements
- Assist crime victims throughout the criminal justice process including in magistrate, municipal and or general sessions court
- Provide courtroom orientation

(Note): Please list what duties a victim advocate performs within your agency. Be detailed and specific. Please update your job description as needed and place it in your manual.

Please ensure that the job description listed in the procedural manual is also on file with your human resources office.

If you are a county based victim advocate and have contracts with a municipality, you must list that municipality in your job description and the services you as the advocate provide to that municipality.

South Carolina Crime Victims' Rights



South Carolina Crime Victims' Constitutional Rights

"To preserve and protect victims' rights to justice and due process regardless of race, sex, age, religion, economic, status, victims of crime have the right to:"

- be treated with fairness, respect and dignity;
- be free from intimidation or harm throughout the criminal and juvenile justice process;
- be informed about victims' rights;
- be reasonably informed about criminal proceedings;
- be informed if the accused is arrested, released, or escapes;
- confer with the prosecution before the case is heard in court;
- be present at criminal proceedings where the accused has the right to be present;
- be heard at proceedings affecting bond, bail, release, pleas or sentencing;
- have reasonable access to documents relating to the crime before trial;
- receive restitution from the adult or juvenile offenders;
- a reasonable, prompt and final conclusion of the case;

The penalty for violating the *Victims' Bill of Rights* is:

- *Writ of mandamus*, issued by Supreme Court or circuit court to require compliance
- A willful failure to comply with a *writ of mandamus* is punishable as contempt

**Excerpted from the Constitution of South Carolina, Article I, Section 24
(This is a condensed reference and is not intended to substitute for the law.)**

What Can You Do To Help Crime Victims Understand Their Rights

- Network with various organizations
- Collaborate with your peers and co-workers
- Coordinate with other local or state victim service agencies
- Be informed of new legislation affecting crime victims
- Receive Victim Service Provider training and education
- Provide follow - up in a timely manner with crime victims and other service providers
- Know your local, state and national resources
- Serve as a resource for other advocates and professionals
- Develop crime victim publications and material (i.e. brochures and flyers)

(Note): Please add anything to this section that you may do in your office to help crime victims understand their rights and the criminal justice process.

Victim Services Statutes

For Additional Information Online:
www.scstatehouse.gov/code/statmast.htm.

- **Role of Law Enforcement: Section 16-3-1520 through 1545**
- **Role of Jails, etc.: Sections 16-3-1525 (H) through 1560**
- **Role of Prosecutors: Sections 16-3-1515 – 1555**
- **Role of Courts: Sections 16-3-1525 (H) through 1555**
- **Role of Various State Agencies: Sections 16-3-1530 - 1540**
- **Role of the Attorney General: Section 16-3-1560(B)**
- **Legislative Intent: Section 16-3-1505**
- **Role and Responsibilities of Victims: Section 16-3-1515**

CODE OF ETHICS

(Note): List your agency's code of ethics. You may also download the Victims' Rights Code of Ethics as well for this section.

Ensure that advocates follow the established Code of Ethics.

TYPES OF CRIME VICTIMS ASSISTED SERVICES PROVIDED; AND PROCESSES AND PROCEDURES FOLLOWED

List Process and Procedure for the following:

- **Criminal Sexual Conduct**
- **Homicide**
- **All levels of Criminal Domestic Violence**
- **Physical or Sexual Abuse of a Minor)**
- **Simple Assault**
- **Assault and Battery**
- **Strong Armed Robbery**
- **Stalking**
- **Harassing Phone Calls**
- **Courtroom Accompaniment**
- **Assistance with filing Crime Victim Compensation Application**
- **Assistance with filling out and submitting Victim Impact Statement**
- **Transporting crime victims to shelters**

(Note): List the types of crime victims that you assist and the services your agency provides. Please be very detailed and specific in outlining services provided.

Please document the process and procedure established by your program for providing direct crime victim services.

CASE MANAGEMENT OF FILES

(Note): Outline how you manage crime victim cases in your office.

Requesting The Use Of Victim Assistance Fines, Fees And Assessment Fund For Purchases

(All must be related to providing direct victim services to crime victims and in accordance with Approved Guidelines)

- Prepare a written letter outlining your reason(s) for making the request for funds
- Do your research and have some knowledge as to the estimated cost for the item(s) being requested and attach it to your request
- Establish a chain of command as to who you will provide copies of the request for signature approval, and forward to the finance office for distribution to appropriate staff
- Make a copy of the request and keep it on file
- Develop an organized filing system to maintain all requests
- Develop a process and procedure for the receipt of requested items. How do you document that you've received the item and how long did it take from approval time until receipt of the item? The County Finance Manager or employee and or Municipal Town Administrator responsible for finance must be the final person to approve all requests.
- Track all items purchased – develop a system to put into place for tracking requested items
- Ensure procedures developed are in accordance with approved guidelines
- **Ensure procedures established for all items purchased are for the victim advocate's use ONLY**

(Note): Please list whatever your process and procedure is for requesting victim assistance funds. If you do not have a process and procedure, develop one as soon as possible. It is important to remember that your request for funds must be in accordance with the approved guidelines.

The approved guidelines are listed on the following pages.



SOUTH CAROLINA Victim Service Coordinating Council

Approved Guide for Expenditures of Monies Collected for Crime Victim Service in Municipalities and Counties **Effective April 1, 2018**

The following is a list of approved expenditures of crime victims' funds retained by county and municipal governments pursuant to Sections 14-1-206, 14-1-207, 14-1-208, and 14-1-211 exclusively for the purpose of providing victim services; including but not limited to:

1. Personnel, salaries/ benefits, performing direct services to crime victims (Victim Advocates within law enforcement and solicitor offices, notifiers for detention centers and the summary courts);
2. Automobiles shall be used solely by the Victim Service Provider (VSP) for providing direct victim services to crime victims if purchased out of the Victim Assistance Fines, Fees and Assessment Fund.

In order to replace the vehicle purchased out of the fund, the vehicle is required to fall under one of the two categories noted below:

Category A: Vehicle is required to be deadlined by the county or municipal/town mechanic listing the vehicles' safety issues

Category B: The vehicle has reached a minimum of 125,000 miles

The county or municipality are required to 1) sell the old vehicle that was replaced, 2) show and maintain documentation regarding the sale price, and 3) prove that the proceeds were deposited back into the Victim Assistance Fines, Fees and Assessment Fund.

If there are Time and Activity Forms involved, please note that the full price of the vehicle cannot be paid out of the fund if the time and activity sheets do not verify full time employment of the advocate providing direct services to crime victims. In such a case, the county or municipality is required to apply the percentage of the employee's time (that the auditing department has provided via Time and Activity Forms received) towards the total cost of the vehicle. This percentage will be the only amount that will be paid from the Victim Assistance Fines, Fees and Assessment Fund towards the purchase of a new vehicle.

3. Expenses for a victim may be reimbursed to the Victim Service Provider (VSP) only while providing direct victim services at the rate of per diem for meals and transportation
4. Computers, computer software, internet connection, website for personnel providing direct crime victim services;
5. Automated victim information and notification systems;
6. Victim related training and conference registration, hotel accommodations for personnel providing direct crime victim services;
7. Office space, furniture, equipment (telephone, telephone lines, 800 numbers, fax, copier) and equipment maintenance for personnel providing direct crime victim services;
8. Postage, copying and printing cost for programs as relating to notification services and correspondence relating to direct victim services as carried out by the Victim Service Provider
9. Brochures for crime victims describing the crime victim services available through the entities and contact information. Reference materials.
10. Telephone charges relating directly to crime victim services;
11. Pager, cell phone expenses for personnel providing direct crime victim services;
12. Various Volunteer personnel costs and training expenses directly providing services to crime victims;
13. Office supplies for personnel directly involved in providing services for crime victims;
14. Camera, film, video tape, VCR recording equipment to support evidence documentation for domestic violence and sexual assault cases and viewing of educational materials for victims;
15. Recording or translation services directly related to crime victim services;
16. Funding for Women and Children shelters/treatment center for crime within the county or municipality;
17. Funding for Rape Crisis Centers
18. Funding for other local organizations providing direct services for crime victims (Mental Health and other facilities);
19. Matching funds for grant programs providing direct services to crime victims (CDV grants and dedicated court grants for CDV);Emergency funding to be paid to service providers for crime victims: day care for children of crime victims required to be in court, limited rent, utilities for transitional housing for CDV victims, limited groceries and transportation);Funding for child friendly interview rooms, separate waiting rooms for crime victims.

**Additional Approved Guidelines for Expenditures of Monies Collected for
Crime Victim Service in Municipalities and Counties
Effective April 1, 2018**

The following is a list of additional approved expenditures of crime victims' funds retained by county and municipal governments pursuant to Sections 14-1-206, 14-1-207, 14-1-208, and 14-1-211 exclusively for the purpose of providing victim services; including but not limited to:

1. Funds may be used for attorneys to represent and provide legal services for crime victims. Attorneys providing this service are required to maintain statistical reports to include but not limited to the number of victims, types of victims and services provided. Please note (attorneys representing Towns and or Counties are excluded from providing this service).
2. Funds may be used for an Administrative Assistant's salary providing direct victim services to crime victims. Please note (if this person is not full time and has dual roles not providing direct victim services, contact DCVC to discuss the necessary Time and Activity (T&A) form required initially for 90 days to determine a percentage. This form must be continuously maintained by the employee). Funds may be used to pay a portion of the following expenses relating to the Administrative Assistant;
 - A. Rent (% applied if dual role)
 - B. Phone (% applied if dual role)
 - C. Computer (to be used solely by Administrative Assistant)
 - D. Software (to be used solely by Administrative Assistant)
3. Funds may be used to establish an Emergency Fund for crime victims. You are required to follow all of the Victims of Crime Act (VOCA) Guidelines, develop an emergency fund application and maintain backup information regarding the emergency funds used.
4. Funds may be used to provide Victims' Rights Week (VRW) Scholarships for crime victims and or immediate family members to attend the Annual South Carolina VRW Conference.
5. Funds may be used for a Financial Support Specialist's salary that will respond to transitional housing requests. Please note (if this person is not full time and has dual roles not providing direct victim services, contact DCVC to discuss the necessary Time and Activity (T&A) form required initially for 90 days to determine a percentage. This form must be continuously maintained by the employee). Funds may be used to pay a portion of the following expenses relating to the Financial Support Specialist;

- A. Rent (% applied if dual role)**
- B. Phone (% applied if dual role)**
- C. Computer (to be used solely by Financial Support Specialist)**
- D. Software (to be used solely by Financial Support Specialist)**

It is important to remember that policies and procedures are required to be developed, updated and maintained for auditing purposes.

REPORTS

- **Reports are very important and vital to the victim assistance program**
- **Develop a process and procedure for each type of reports needed**
- **Track which agency reports are required to for contractual relationships. Then, establish time frames for submitting reports.**
- **Prepare reports that track victims monthly, quarterly and yearly**
- **Provide immediate supervisor(s) with reports so they will know what's going on within your department and for accountability purposes in the event the information is needed later.**
- **Tracking reports include but are not limited to the following: types and number of victims assisted, services provided, agency collaboration, and referral information. Whatever additional stats you think are pertinent to your program, please ensure you document this information.**

(Note): List anything in this section that you feel relates to the tracking of crime victims you are assisting on an ongoing basis in your areas (contract or no contract).

Full time victim advocates are not required to use the Time and Activity Forms; however, it is considered a best practice.

If you do not wish to use the sample crime victim advocate statistical report found on the DCVC website under the auditing tab, you may choose your own reporting system as long as it captures the information noted above.

Reports are vital, and can be used as a tool to help measure your performance and are for accountability purposes.

NETWORKING AND PARTNERSHIPS

(Note): List any partnerships you have developed within your area, and notate how you network and work in a collaborative effort with those partners on an ongoing basis.

This is a great way to help crime victims as they transition to the next victim service group responsible for providing direct victim services as the case moves through the criminal justice system.

Assisting crime victims through the criminal justice system can be difficult. Therefore, partnering with other organizations and working together may ease the victim's anxiety and make way for a smooth transition during those difficult times.

Remember, no one agency can do it alone! Networking and collaboration is vital to providing the best quality of service to crime victims!

TRAINING AND EDUCATION

(Note): Training is vital as a victim advocate. As a victim advocate, you must meet the legislative mandate for the Basic Core of 15 hours and 12 additional hours each subsequent year.

The Department of Crime Victim Services Training, Provider Certification, and Statistical Analysis (CVST) is available to assist you in this area if you are a victim advocate working with crime victims. You may reach them at 803.734.0925.

It is vital that you develop a process for choosing victim service training and track each training attended.

To serve as a victim advocate in South Carolina, you are legislatively mandated to receive Victim Service Provider Certification and equip yourself with as much knowledge as possible.

RESOURCES

(Note): List local resources used to assist crime victims and notate your process and procedure for assisting crime victims.

Keep your list of resources updated.

PUBLICATIONS

(Note): It is important to develop various brochures and flyers with your agency logo and victim assistance program contact information. Victims need to know how to reach you during and after business hours.

Having something tangible for victims to read later is very important! Victims don't always remember what advocates tell them or whom they have met with. Initially victims may experience a "victim overload" from too much information immediately following the crime. This may very well be due to their victimization and the trauma they are experiencing or have experienced.

Develop a procedure for requesting and ordering brochures and flyers for your victim assistance program.

Brochures and/ or flyers can be paid out of the Victim Assistance Fines, Fees and Assessment Fund. Please call the DCVC Auditing team for additional information. They can be reached at 803.734.1900.

Working Together Can Make A Difference!



